

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 LESLIE A. WALDEN
Deputy Attorney General
4 State Bar No. 196882
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-3465
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. **2013-66**

11 **JANICE MARIE COATES**
12 **10245 Compton Blvd, Apt. 15**
13 **Bellflower, CA 90706**

ACCUSATION

14 **Registered Nurse License No. 466781**

15 Respondent.

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19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 2. On or about July 31, 1991, the Board of Registered Nursing issued Registered Nurse
25 License Number 466781 to Janice Marie Coates (Respondent). The Registered Nurse License
26 expired on November 30, 1998, and has not been renewed.
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28

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

STATUTORY PROVISIONS

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

6. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

....

7. Section 141 of the Code states:

"(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government,

1 or by another country for any act substantially related to the practice regulated by the California
2 license, may be a ground for disciplinary action by the respective state licensing board. A
3 certified copy of the record of the disciplinary action taken against the licensee by another state,
4 an agency of the federal government, or another country shall be conclusive evidence of the
5 events related therein.

6 "(b) Nothing in this section shall preclude a board from applying a specific statutory
7 provision in the licensing act administered by that board that provides for discipline based upon a
8 disciplinary action taken against the licensee by another state, an agency of the federal
9 government, or another country."

10 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
11 administrative law judge to direct a licensee found to have committed a violation or violations of
12 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
13 enforcement of the case.

14 15 CAUSE FOR DISCIPLINE

16 (Unprofessional Conduct - Out of State Discipline)

17 9. Respondent is subject to disciplinary action under section 2761 subdivision (a)(4) in
18 that she was subject to discipline by "denial of licensure, revocation, suspension, restriction, or
19 any other disciplinary action against a health care professional license or certificate by another
20 state or territory of the United States, by any other government agency, or by another California
21 health care professional licensing board." The circumstances are as follows:

22 10. On or about November 9, 2010, Respondent entered into a Stipulation and Consent
23 Order in the state of Vermont, where she agreed to change the status of her Vermont Registered
24 Nursing License No. 026.0038175 to inactive-conditioned as a result of the following violations
25 for Unprofessional Conduct:

26 (a) 3 V.S.A. section 129a subdivisions (b)(1) and (2) (Failure to practice
27 competently by reason of any cause on a single occasion or on multiple occasions may constitute
28 unprofessional conduct, whether actual injury to a client, patient or customer has occurred:

1 Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or
2 client care; or (2) failure to conform to the essential standards of acceptable and prevailing
3 practice); and

4 (b) 3 V.S.A. section 129a subdivision (a)(3) (failing to comply with provisions of
5 federal or state statutes or rules governing the practice of the profession).

6 11. On or about February 1, 2011, the Arizona State Board of Nursing accepted the
7 voluntary surrender of Respondent's Registered Nursing License No. RN103753. The
8 circumstances surrounding the voluntary surrender of Respondent's license were based on the
9 previous discipline imposed on her by the Stipulation and Consent Order in the state of Vermont
10 as set forth in paragraph 10 above.

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12 PRAYER

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Board of Registered Nursing issue a decision:

15 1. Revoking or suspending Registered Nurse License Number 466781, issued to Janice
16 Marie Coates

17 2. Ordering Janice Marie Coates to pay the Board of Registered Nursing the reasonable
18 costs of the investigation and enforcement of this case, pursuant to Business and Professions
19 Code section 125.3;

20 3. Taking such other and further action as deemed necessary and proper.

21
22 DATED: July 24, 2012

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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